# REMARKS

An Office Action was mailed on July 23, 2007. Claims 1-14 and 16-20 are pending.


Claim 17 is rejected under 35 U.S.C. §112, first and second paragraphs, because the claim element "generating a ripeness indicator associated with the operation of the recommendation-generating process" is asserted as lacking support in the specification. Specifically, in the Office Action of July 23, 2007, "it is unclear what it meant by the ripeness indicator being associated with the operation of the recommendation-generating process. It is interpreted to mean that the ripeness indicator is generated based on how "ripe" the resulting recommendation is to the user based on the Applicant specification on page 11 and Figure 7."

Applicant respectfully submits that the ripeness indicator being associated with the *operation* of the recommendation-generating *process* is clearly supported in the specification and the drawings with reference to the paragraph bridging pages 7-8 of the specification:

> The limiting factors 304 may specify, e.g., the amount of time a recommender system should spend in generating the recommendation, the amount of power or other device resources that may be consumed by the recommendation system 300 in generating the recommendation, the quality of the recommendation needed in a particular application, or combinations of these and other limiting factors. Example limiting factors and the manner in which these factors may be selected by a user of the device 202 will be described in conjunction with FIGS. 4, 5 and 6.

Figures 4-6 relate to time, power and quality, which are all factors that relate to the operation of the recommendation-generating process and are independent and distinct from the user input or the results. Clearly the ripeness of the results follows directly from the ripeness of the operation of the recommendation-generating process. However, in the present case, the user-limiting factors such as time and power are clearly process-related factors that govern the manner in which the recommendation is generated. Thus, the user-limiting factors relate more to the "back-end" operation of the recommendation-generating process.

As another example, users that are more concerned with results of a search for a particular term in a particular database, for example, are generally only going to key in the particular search term and review the results for such search term. However, in such an example,

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the search term itself does not limit the manner by which the recommendation-generating process is operated. The search term itself does not, for example, limit the amount of time (FIG. 4 of the present application) dedicated by the recommendation-generating process to searching for such term. By limiting "time" as an operational or process-driven factor, for example, a user is able to manipulate the operation of recommendation-generating process to arrive at a process-based "ripeness." Considering Applicant's FIGS. 4-7, if the recommendation-generating "process" is provided with unlimited time, energy and resources, the operation of such a process is going to have a certain "ripeness" relative to the operational or process-based factors, and therefore the result will also have a certain "ripeness" based on the "ripeness" of the operation of the recommendation-generating process.

Thus, Applicant respectfully requests the withdrawal of the rejections under 35 U.S.C. §112, first and second paragraphs.


Claims 1-3, 5, 8-10, 12-14, 16, 17 and 20 are rejected under 35 U.S.C. §102(a) as being anticipated by LexisNexis website printouts. Claims 6, 7, 18 and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over LexisNexis in view of Shaw. Claims 4 and 11 are rejected under 35 U.S.C. §103(a) as being unpatentable over LexisNexis in view of Official Notice.

Applicant respectfully traverses such rejections and reiterates Applicant's arguments set forth in Applicant's response filed June 6, 2007.

In addition, Claim 1 requires:

> "pre-defining one or more user-selectable limiting factors in a recommender system that limit optimal *processing characteristics* of a recommendation-generating *process* implemented in the recommender system;" and
> "generating an output recommendation based at least in part on the processed input, the output recommendation being generated in accordance with an *optimal processing as limited* by the pre-defined one or more user-selectable limiting factors."


Claim 14 requires:

> "... the processing characteristic of the recommendation-generating process being configured by the recommender system in accordance with the one or more limiting factors that limit the *operation of the recommendation-generating process relative to the optimal processing characteristic.*"

Similarly, Claim 17 requires:

> "... generating a ripeness indicator associated with the *operation of the recommendation-generating process as limited by the one or more pre-defined, user-selectable limiting factors.*"

With respect to claims 1-13, Applicant respectfully submits that LexisNexis fails to teach or reasonably suggest a recommender system that limits optimal *processing characteristics* in accordance with one or more user-selectable limiting factors. Instead, LexisNexis teaches limiting factors such as KWIC, FULL, All Pos, etc., that relate to the presentation of the generated recommendation, or the *result*, and that are selected by the user in connection with the presentation of the processed input. Such alleged "limiting factors" in LexisNexis have no bearing on the basic recommendation-generating *process* relative to an *optimal processing characteristic*. This is exemplified by the discussion on the top of page 4 of the Office Action of July 23, 2007, which specifically analogizes the Lexis reference to "*optimal results:*"

> *In reference to claim 1, the Lexis teaches a method for use in an information processing system for generating a recommendation at a processing device, the method comprising: pre-defining one or more user-selectable limiting factors in a recommender system that limit optimal processing characteristics (i.e. per page 8 of the Applicant's specification, optimal or near optimal output is based on the user input of ASAP versus take your time factors, and **per Lexis**, **optimal results** can be achieved by selecting all the applicable databases and less than optimal results can be achieved by selecting one database for searching by the user) ...*

As noted above, the claims require "pre-defining one or more user-selectable limiting factors in a recommender system that *limit optimal processing characteristics of a recommendation-generating process* implemented in the recommender system." The claims do not reference the limitation of "optimal results" as asserted in the Office Action. Furthermore, one skilled in the art would not want to limit the processing of a LexisNexis search for a given input relative to an optimal processing characteristic because then the quality of the generated recommendation

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would be suspect. The recommendation-generating process of the instant invention is fundamentally different from the process utilized in LexisNexis, which is intended to return an *optimal recommendation* for any given input

Furthermore, with respect to the remaining claims, the pre-defined, user-selectable limiting factors limit the operation of the recommendation-generating process as shown, for example, in FIGS. 4-7 of the present application. It is important to distinguish that the limiting factors are directed to the manner in which the recommendation is generated *for any given input*. The *operational process* by which the recommendation is generated is not based on, for example, user-defined search terms. The search term itself does not define *or limit* the *operation* of the recommender.

Taking FIG. 5 as an example, a user's search term for "restaurants" does not impact the amount of power available to the recommendation process. Limiting the "restaurants" search to "New Jersey" is similarly not the equivalent of modifying the "power" limiting factor that affects the operation of the recommendation-generating process. These user selections are independent of the operation of the recommendation-generating *process*. Thus, with reference to FIGS. 4-7, the results of the user query "restaurants in New Jersey" will vary depending on the process-based user-limiting factors that control the operation of the recommendation-generating process. With unlimited time (FIG. 4) and power (FIG. 5), such a results listing will be much more comprehensive than if the recommendation-generating process had minimal time, power and resources. Thus, the "ripeness" of the operation of the recommendation-generating process translates into the "ripeness" of the result.

Thus, a user will get different results for a given search strategy based on the user-limiting factors impacting the operation of the recommendation-generating process. This is not the case with the Lexis-Nexis example asserted in the Office Action. In Lexis-Nexis, the search strategy encompasses the search term plus the selected databases, which limit the nature of the *results*, and such results will look different depending on factors like KWIC, FULL, etc. However, once the search strategy is established, the content and extent of the results will *always be the same* because the *operational factors* that govern the manner in which the searching is

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performed and the recommendation is generated in the Lexis-Nexis databases or at Lexis-Nexis operations are always *infinite* or are always the same. For example, if a user wanted to find all Supreme Court cases that included the term "patent," such a results list would be *fixed* based on the query term and the database selected (i.e., Supreme Court). Lexis-Nexis does not offer an option to modify *operational* recommendation-generating factors in the same manner as found in the present application. When performing a search on Lexis-Nexis, a user expects that a particular result will always be *complete and fixed* based on a given search strategy defined by the user. However, with reference to FIGS. 4-7 of the present application, such a results list would be different if the user was able to modify the operational characteristics of the recommendation-generating process. If the process is limited to an "ASAP" time situation (FIG. 4), which might represent an operational "ripeness" that is 10% of optimal, then the returned listing might only represent 10% of the total listing, and thus the "ripeness" of the result would be equivalent to the ripeness of the operation of the recommendation-generating process.

The ability to modify operational factors like time and power are important when using portable devices that do not have unlimited resources. In the present case, the user-selectable limiting factors such as time and power are based on *resources* relating to the *operation* of the recommendation-generating process. Applicant respectfully submits that the cited Lexis-Nexis reference, and the asserted "user-selectable limiting factors" relating to database selection, viewing types, etc., are not *operational process-based* factors that limit the manner in which the recommendation-generating *process itself* operates, but are instead *results-based factors that are independent of the recommendation-generating operations.* The Lexis-Nexis factors simply narrow or restrict both the query and the returned results and how such results are displayed on the screen. The difference between *operation-based* and *results-based* limiting factors is significant relative to the process for generating the recommendation, and represents a *fundamental difference* between the limitations on the recommendation-generating process of the present application versus what is shown in Lexis-Nexis.

With the above in mind, Applicant respectfully again reiterates the arguments set forth on pages 6-8 of Applicant's response filed June 6, 2007. Simply stated, the cited reference fails to
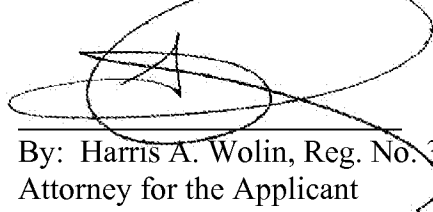
teach or reasonably suggest a user's ability to modify operational- and process-based characteristics that impact and limit a recommendation-generating process *on the operational level*, and the user's ability to recognize the *operation limitations* of the recommendation-generating process on the search results through a *ripeness indicator*, as claimed herein.

In view of the above amendments and remarks, it is believed that claims 1-14 and 16-20 are in condition for allowance. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper, not already paid through an EFS-Web filing, may be charged to Deposit Account No. 50-3894. Any overpayment may be credited to Deposit Account No. 50-3894.

Respectfully submitted,

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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